

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2020-275-S - ORDER NO. 2020-847
DECEMBER 30, 2020

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| IN RE: Application of Condor Environmental, |) | ORDER GRANTING IN |
| Incorporated Requesting an Expansion of Its |) | PART AND DENYING IN |
| Existing Sewer Service Area to Include |) | PART REQUEST TO |
| Certain Portions of Anderson County and |) | PROVIDE PROVISIONAL |
| Saluda County and Approval of Agreement |) | SERVICE AND |
| |) | APPOINTING HEARING |
| |) | OFFICER |

This matter comes before the Public Service Commission of South Carolina (“the Commission”) on the Motion of Condor Environmental, Inc. (“Condor”) to Allow Service on a Provisional Basis. In response to the Commission’s Request in Commission Order No. 2020-792, the Office of Regulatory Staff (“ORS”) responded by providing a status report and commenting on Condor’s Motion. While ORS cited several discrepancies between rates billed to customers and the Commission-approved rates for each of Condor’s subdivisions are identified, ORS provided a status report on December 14, 2020, asserting that the ORS has not completed discovery and that its review of Condor’s Application #3 is on-going.

The Commission is aware that Condor is already providing sewer service to eight (8) homeowners in the Carriage Hill subdivision. While it was not lawful for Condor to begin providing sewer service to Carriage Hill prior to Commission approval of the 2018 Agreement, the customers in Carriage Hill cannot be penalized until a hearing is held to determine the issues in the Docket, which include a determination of rates, and whether or

not Condor complied with the Commission's Orders, Rules, and Regulations. According to information obtained from the Docket, it is also claimed that the Carriage Hill Homeowners do not have any other option for sewer service than Condor. Accordingly, we grant Condor's Motion to provide service on a provisional basis to the current eight (8) homeowners in the Carriage Hill subdivision who are already receiving sewer service from Condor. Condor will be allowed to receive compensation from the eight (8) homeowners that it currently serves in Carriage Hill at the provisional rates specified in the Motion, and until the Commission makes a final ruling and determination on the rates proposed in Condor's Application. The rates charged to these eight (8) Carriage Hill customers shall be subject to true-up only if the Commission approves permanent rates that are lower than the provisional rates and these homeowners shall be entitled in this situation to refunds or credits.

Further, we hold that Condor shall be permitted to provide sewer service to the additional homeowners in the Carriage Hill subdivision who have no other choice for sewer service, and that such sewer service shall be provided at the proposed provisional rates subject to true-up and entitled to refunds or credits if the permanent rates approved by the Commission are lower than the provisional rates.


In addition, we deny Condor's Motion to allow it to provide service on a provisional basis to the Palmetto Pointe subdivision. There is a contested motion for intervention by Saluda County Water and Sewer Authority that this Commission will consider.

Finally, this Commission appoints F. David Butler, Esquire, as the Hearing Officer in this Docket. Mr. Butler shall schedule a procedural conference with the parties to develop a discovery and procedural schedule in this Docket.

This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:





Florence P. Belser, Vice Chairman
Public Service Commission of
South Carolina